

UNITED STATES DISTRICT COURT

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILED

for the

WESTERN District of VIRGINIA

CIVIL Division

APR 19 2019

JULIA C. DUDLEY, CLERK  
BY: *AS*  
DEPUTY CLERK

Case No. *7.19cv320*

(to be filled in by the Clerk's Office)

TERRY C.BRADLEY

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint.  
If the names of all the plaintiffs cannot fit in the space above,  
please write "see attached" in the space and attach an additional  
page with the full list of names.)

-v-

SGT. L.L.SNIDOW,OFFICER F.M.  
MIANO,FREDERICK KELLERMAN,CURTIS S.  
SCHWAB JR.,RAY W. GRUBBS,ROBERT M.D.  
TURK, PATRICK R. JENSEN.

Defendant(s)

(Write the full name of each defendant who is being sued. If the  
names of all the defendants cannot fit in the space above, please  
write "see attached" in the space and attach an additional page  
with the full list of names. Do not include addresses here.)

Jury Trial: (check one)  Yes  No

**COMPLAINT FOR VIOLATION OF CIVIL RIGHTS**

(Non-Prisoner Complaint)

**NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	TERRY C. BRADLEY		
Address	3724 SAPPHIRE RD. UNIT 2		
County	FAYETTEVILLE	NC	28303
Telephone Number	City	State	Zip Code
E-Mail Address	CUMBERLAND		
	910-922-2680		
	TCBRADLEY7@GMAIL.COM		

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

**Defendant No. 1**

Name	SGT. L.L. SNIDOW		
Job or Title ( <i>if known</i> )	VIRGINIA TECH. POLICE OFFICER		
Address	330 STERRETT DRIVE		
County	BLACKSBURG	VA	24061
Telephone Number	City	State	Zip Code
E-Mail Address ( <i>if known</i> )	MONTGOMERY		

Individual capacity     Official capacity

**Defendant No. 2**

Name	F.M. MIANO		
Job or Title ( <i>if known</i> )	VIRGINIA TECH. POLICE OFFICER		
Address	330 STERRETT DRIVE		
County	BLACKSBURG	VA	24068-0389
Telephone Number	City	State	Zip Code
E-Mail Address ( <i>if known</i> )	MONTGOMERY		

Individual capacity     Official capacity

**Defendant No. 3**

Name	CURTIS S. SCWAB		
Job or Title ( <i>if known</i> )	COMMONWEALTH ATTORNEY		
Address	240 NORTH JEFFERSON AVE		
	PULASKI	VA	24301
County	<i>City</i>	<i>State</i>	<i>Zip Code</i>
Telephone Number			
E-Mail Address ( <i>if known</i> )			

Individual capacity     Official capacity

**Defendant No. 4**

Name	RAY W. GRUBBS		
Job or Title ( <i>if known</i> )	JUDGE MONTGOMERY CIRCUIT COURT		
Address	P.O.B. 389		
	CHRISTIANSBURG	VA	24068-0389
County	<i>City</i>	<i>State</i>	<i>Zip Code</i>
Telephone Number	MONTGOMERY		
E-Mail Address ( <i>if known</i> )	PLEASE SEE ADDITIONAL ATTACHED PAGES		

Individual capacity     Official capacity

**II. Basis for Jurisdiction**

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

**A. Are you bringing suit against (*check all that apply*):**

- Federal officials (a *Bivens* claim)  
 State or local officials (a § 1983 claim)

**B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?**

**CIVIL RIGHTS: EQUAL PROTECTION UNDER THE LAW, FALSE ARREST, MALICIOUS PROSECUTION, FALSE IMPRISONMENT**

**C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?**

UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF VIRGINIA

TERRY C. BRADLEY;

PLAINTIFF PRO SE

v

CIVIL ACTION #

SGT. L.L. SNIDOW

OFFICER F.M. MIANO

CURTIS S. SCHWAB

RAY W. GRUBBS

FREDERICK M. KELLERMAN

ROBERT M.D. TURK

PATRICK R. JENSEN

THE PARTIES TO THIS COMPLAINT:

DEFENDANT NO 5

NAME	FREDERICK M. KELLERMAN
ADDRESS	304 ROANOKE ST. CHRISTIANSBURG VA. 24068-0389
COUNTY	MONTGOMERY

DEFENDANT NO 6            ROBERT M.D. TURK

ADDRESS        55 E. MAIN ST. STE. 419 CHRISTIANSBURG VA. 24073-3027

**DEFENDANT NO 7            PATRICK R. JENSEN**  
**ADDRESS                    1 MAIN ST. SUITE 111, CHRISTIANSBURG VA**  
**24073**

NO

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

**PLEASE SEE ATTACHED STATEMENT OF CLAIM**

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### **III. Statement of Claim**

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

**ALL EVENTS OCCURRED WITH THE BOUNDARIES OF MONTGOMERY COUNTY VA.**

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- B. What date and approximate time did the events giving rise to your claim(s) occur?

**VARIOUS DATES; PLEASE SEE ATTACHED ; STATEMENT OF CLAIM**

- C. What are the facts underlying your claim(s)? (*For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?*)

**PLEASE SEE ATTACHED; STATEMENT OF CLAIM**

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

STATEMENT OF CLAIM

IN GENERAL: ALL THE DEFENDANT(S) TO THIS LAWSUIT WERE OR ARE EMPLOYED AS OFFICERS OF THE COURT WHETHER IN THE LAW ENFORCEMENT FIELD OR THE STATE'S JUDICIAL SYSTEM. AND THEREFORE; MANDATED BY APPLICABLE STATE AND FEDERAL LAWS. AS WELL AS THE CONSTITUTION AND AMENDMENTS OF THE UNITED STATES.

STATEMENT OF CLAIM: A. B. C.

DEFENDANT(S) SNIDOW AND MIANO ACTING PERSONALLY AND WITHIN THEIR OFFICIAL CAPACITY ALLEGEDLY OBTAINED A WARRANT FOR THE ARREST OF THE PLAINTIFF, WHICH IN FACT WAS AN ALTERED SUMMONS TO APPEAR. (DATE ON SUMMONS IS OBSCURED) DEFENDANT(S) ALLEGEDLY EXECUTED SAID DOCUMENT UPON THE PLAINTIFF; AS A WARRANT ON 10/26/01.

DEFENDANT CURTIS S. SCHWAB ACTING PERSONALLY AND IN HIS OFFICIAL CAPACITY CHARGED THE DEFENDANT WITH THE COMMISSION OF A CRIME; PURSUANT TO THE ALLEGED WARRANT. AND COMMENCED JUDICIAL CRIMINAL PROCEEDINGS. 12/19/01

DEFENDANT RAY W. GRUBBS THE PRESIDING JUDGE OF THE CIRCUIT COURT OF MONTGOMERY WITHIN THIE TIMEFRAME; ACTING PERSONALLY AND WITHIN HIS CAPACITY ALLOWED SAID PROCEEDINGS TO GO FORTH. IN DOING SO; DISREGARDING AN ARRAIGNMENT OR PRELIMINARY HEARING. 1/23/2002-3/16/05

DEFENDANT(S) CURTIS S. SCHWAB, AND RAY W. GRUBBS ACTING PERSONALLY AND WITHIN THEIR OFFICIAL CAPACITY; PRESENTED AN ALLEGED PLEA AGREEMENT TO THE PLAINTIFF; SAID AGREEMENT WAS NEVER RATIFIED; BUT PRESENTED AS BINDING UPON THE PLAINTIFF. 3/8/02

DEFENDANT(S) RAY W. GRUBBS AND CURTIS S. SCHWAB ACTING PERSONALLY AND IN THEIR OFFICIAL CAPACITY ALLOWED AN UNRATIFIED PLEA AGREEMENT TO BE ENTERED INTO THE COURT RECORD AS A VALID PLEA AGREEMENT WITH THE PLAINTIFF. THEREBY RESULTING IN AN ALLEGED ADMISSION OF GUILT, AND SUBSEQUENT CONVICTION. 3/8/02

DEFENDANT RAY W. GRUBBS ACTING PERSONALLY AND WITHIN HIS OFFICIAL CAPACITY; SUBSEQUENTLY SENTENCED THE PLAINTIFF PURSUANT AN ALLEGED ARREST WARRANT AND INVALID PLEA AGREEMENT; TO 3YEARS SUSPENDED SENTENCE AND 5 YEARS PROBATION, 100 HOURS COMMUNITY SERVICE, PAYMENT OF ALLEGED RESTITUTION TOTALING \$ 4,304.78, PAYMENT OF ALLEGED FINES AND FEES TOTALING \$855.00. 3/8/02, 3/16/05

DEFENDANT FREDERICK M. KELLERMAN ACTING PERSONALLY AND WITHIN HIS OFFICIAL CAPACITY; REPRESENTING THE PLAINTIFF AS LEGAL COUNSEL, KNOWINGLY MISREPRESENTED LEGAL ADVICE TO THE PLAINTIFF. NEVER CONTESTING CLEAR VIOLATIONS OF CRIMINAL PROCEDURE, AND THE NON-EXISTENCE OF A VALID ARREST WARRANT. ACTING IN CONCERT WITH AN INVALID

**PROSECUTION. PROVIDING THE PLAINTIFF WITH INADQUATE  
COUNSEL AND MISREPRESENTATION. 10/26/01-3/16/05**

**DEFENDANT(S) ROBERT M D TURK AS WELL AS PATRICK R. JENSEN  
ACTING PERSONALLY AND WITHIN THEIR OFFICIAL CAPACITY;  
PRESIDED OVER AND DEFENDED AGAINST THE PLAINTIFF'S PETITION  
TO EXPUNGE THE CONVICTION OF THE PLAINTIFF. THE DEFENDANTS  
AFTER REVIEWING THE PLEADINGS AND SUBMISSIONS OF THE  
PLAINTIFF, ALONG WITH THE CASE RECORD, REAFFIRMED THE PLEA  
AGREEMENT AS VALID; AS WELL THE SUBSEQUENT CONVICTION ON  
FILE. 12/21/17, 4/5/18**

**ALL OF THE DEFENDANTS LISTED WITHIN TOOK ACTIONS UNDER  
COLOR OF LAW. RESULTING IN THE VIOLATION OF THE PLAINTIFF'S  
CONSTITUTIONAL RIGHTS AND DEPRIVATION OF EQUAL  
PROTECTION UNDER THE LAW. WHETHER ACTING IN CONCERT OR  
INDEPENDENTLY.**

**IV. Injuries**

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

NO

**V. Relief**

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

PLAINTIFF REQUESTS A MONETARY AWARD OF SIXTY ONE MILLION DOLLARS  
PLAINTIFF REQUESTS AN ORDER GRANTING EXPUNGEMENT AND SEAL OF THE ALLEGED RECORD OF CONVICTION.

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**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

4/8/19

Signature of Plaintiff

Jerry C Bradley

Printed Name of Plaintiff

TERRY C BRADLEY, PRO SE

**B. For Attorneys**

Date of signing:

Signature of Attorney

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Printed Name of Attorney

---

Bar Number

---

Name of Law Firm

---

Address

---

City

State

Zip Code

Telephone Number

E-mail Address